

**4 Marrigan Street, Arlington, MA 02474**

September 14, 2004

Counselor David Bliss Wilson  
Robinson & Cole, L. L. P.  
One Boston Place  
Boston, MA 02108-4404

Re: Loughman v. Mahoney, et al. U.S. District Court Case 1:04-cv-12316 WGY

Dear Counselor Wilson:

Recently, two developments have taken place in connection with the above-captioned case, and I thought I would take the time to inform you of these developments, as a matter of courtesy.

First, a so-called "status conference" has been called for Tuesday, September 27<sup>th</sup>, 2004, at 2:00 P.M., in Courtroom 18 at the U.S. Courthouse in Boston. I look forward to seeing you there.

In preparation for that conference, I call upon you to send me copies of the so-called Waiver-of-Service Forms, for Maura Mahoney and for Lotus Development Corporation. You may recall that by telephone, we discussed the continuing non-return of Legal Process by Maura Mahoney and also by Lotus Development, back in January or February of this year. My impression from our telephone discussions was that my original process services had been located somewhere between the law firm of Seyfarth-Shaw and Robinson-Cole; but that you would locate this process service, and waive return of process on behalf of Maura Mahoney and Lotus Development.

To date, I have not received these waiver-of-service forms. I believe that I need to return them to the Court, so that the time-period for your response can then commence. Would you be kind enough to retrieve them from your files or those of Seyfarth-Shaw and forward them to my attention for return to the Court before September 27th?

The second development is that I sustained a major injury in May, 2004, when I suffered a fall, hit my head and face against a brick sidewalk in Cambridge, and suffered major loss of blood, owing to the anti-coagulants which I am required to take, owing to my heart valve replacement. Because of the loss of blood, which was not replaced---my "pro-thrombin time" continued to be difficult to manage, with wide swings over a three-month period, causing general fatigue, some headaches, and inconvenient nose bleeds. I had to take several days off of work, and generated several thousand dollars of emergency-room bills at the Cambridge Hospital in mid-May. Fortunately, it was not necessary for me to be hospitalized, but I am sleeping better now.

Reference Copy for U.S. District Court

ten to twelve hours per day. I have been able to continue my work as a librarian at Harvard which involves a minimum of physical exertion. As you may well appreciate, these heart-related events have had the untoward effect of distracting me from litigation administration in matters of *Loughman v. Mahoney et al.* in Federal Court and *Loughman v. Feeley, et. al.* a closely related case, in Middlesex County Superior Court.

It looks like my medical condition is very slowly stabilizing and improving. Surgeons in London have predicted a recovery period of twelve-to eighteen months, from date of my heart-valve replacement and coronary artery bypass surgery. We are approaching the twelve-month range, since my initial surgery took place on December 10, 2001 at the Heart Hospital in London. Both my GP and Cardiologist in Cambridge are pleased with my progress to date, but both caution against excess physical exertion and undue excitement.

Accordingly, I am taking a slow approach to litigation, lest my medical recovery should be compromised. As you know, it is my very firm belief that my cases are simple enough straightforward enough to be handled on a pro-se basis. I am not a very big fan of litigation inflation which inevitably seems to accompany the entry of lawyers into [almost any] litigation.

I am anxious, of course, to move ahead with the dual litigation against Maura Mahoney-Lotus Development and Maura-Feeley-First Security Services. It looks like a so-called "12/56" hearing will be held on October 4<sup>th</sup>, in connection with the lawsuit against Maura Feeley and First Security in Middlesex County Superior Court. I will be requesting or motioning the Federal Court for expedited trial and resolution of the issue of false, defamatory and reckless expressions of (sic) "fact" on the part of Maura Mahoney on July 10, 1998 in connection with her telephoned speech and her imputation of insanity or lunacy on my part at that time.

It continues to be my position that Maura Mahoney's telephoned speech to Maura Feeley on July 10, 1998 is not an expression of so-called "pure opinion" as erroneously claimed by Counselor Jean Musiker; and that, as such, neither Maura Mahoney's original speech; nor Maura Feeley's re-publication of that speech are afforded Constitutional protection as "free expression of opinion".

We shall have to see how all of the substantive issues and so-called affirmative defenses play out in Court. As you probably know, the DIA Case, included multiple (suppressed) motions for disclosure of my so-called "personnel file", which by law (MGL Chapter 149, §52C) would include all documents pertaining to the subject of "employee discipline" in the possession of the employer, also including the Maura Feeley's ignominious memo of July 13, 1998. I understand that this document was withheld and suppressed for over three years by First Security Services, notwithstanding its obligations for full disclosure of "personnel file" under statute.

You might also want to review *Harding v. Walmart Stores* for some additional perspectives on this particular issue of personnel file disclosure. The full case record in the case is close to 5,000 pages, about 4,000 pages of which are single-spaced letters, memoranda, motions, and legal memoranda, addressed to the DIA, including the presiding Judge. I have reviewed more than 100 pages, addressed to the Presiding DIA Judge on the issue of perceived obstructive discovery by First Security Services Corporation. Numerous case-related documents, in addition to the non-disclosed memo of July 13, 1998, have "disappeared" under the very watchful eye of The Pinkerton Agency (previous owners of First Security)---a firm which has been in the so-called security and protection business for about 150 years---yes, THAT very Pinkerton's

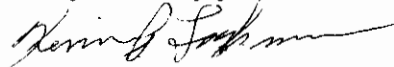
folks who lynched the Mollie Maguires from the Pennsylvania Coal Mines---was it in 1850's?

I look forward to seeing you on September 27, 2005, and to your anticipated Assistance in returning Waiver-of-Service Forms, so that this procedural issue can be resolved at or before the time of our status Conference.

Note, since starting this letter, I have just opened some mail from your office, having returned from a week-long trip to Ireland. I departed for Ireland on September 7, and have returned today. The envelope contains your Motion for Dismissal, as far as I am able to determine. I shall respond to it by means of an Opposition or Objection, within seven days from today, in keeping with my understanding of Court Rules.

We will still need to bring to the attention of the Presiding Judge, the boycott, disappearance, and non-response to my Legal Service, which appears to be practiced both by Defendants and by their various and oft-changing legal counsel.

Very sincerely yours,



Kevin P. Loughman

Copy to: Bonnie Smith, Clerk, U.S. District Court for Eastern Massachusetts  
Attorney Jean Musiker, Counsel for Maura Feeley and First Security